

REMARKS

Claims 1-28 were examined in the Office Action mailed March 24, 2008.

The following rejections are currently pending:

- Rejection of claims 1-9 and 16-22 under 35 U.S.C. § 102(b) as unpatentable over newly-cited U.S. Patent No. 3,892,285 to Bruni ("Bruni").
- Rejection of claims 10-15 and 23-28 under 35 U.S.C. § 103(a) as unpatentable over Bruni in view of U.S. Patent Publication No. 2002/0166740 ("Zhang").

The Applicant has amended independent claims 1 and 16 to clarify that the present invention is directed to a brake rotor mounted in the conventional location, "concentrically located at the hub end of the axle" with a wheel (as opposed to being located laterally away from an axle end).

1. The Claims Are Patentable Over The Bruni Reference. The Applicant respectfully traverses the rejections based on Bruni, on the ground this reference does not disclose or suggest all of the features of the present invention recited in the independent claims.

The Bruni reference discloses a brake caliper and rotor for "large agricultural machines," mounted on an offset reduction gear drive mechanism (offset drive shaft end 2 rotating gear 3 about axle 66). As shown in Bruni Fig. 1, the entire brake unit – including both the caliper and the hub portion of the brake rotor – is located outside the wheel, coaxial with offset shaft end 2.

In contrast, amended claim 1 recites that "the connecting flange portion has a length such that when the hub portion and a wheel rim adapted to be mounted on a

hub end of a vehicle axle are concentrically located at the hub end of the axle, the friction portion is outboard of the wheel rim.” There is nothing in Bruni that discloses, or that would even begin to suggest to one of ordinary skill, the present invention’s location of the hub end of a brake rotor concentrically with a wheel and axle end (*i.e.* within a wheel envelope) while having a connecting flange portion that is long enough to place the friction portion outboard of the wheel rim: there is simply no room within the Bruni agricultural machine’s wheel to accommodate a brake rotor, nor is there anything in this reference which suggests modifying Bruni’s tiny rotor to be located concentrically on an axle end and extending the flange portion to place the friction portion outside of the wheel envelope (something that, in view of Bruni’s large, fixed reduction gear housing 6 is simply not physically possible).

Because Bruni fails to disclose or suggest the concentric arrangements recited in amended independent claims 1 and 16, this reference does not anticipate or render unpatentable claims 1-28 under § 102(b) or § 103(a).¹ Accordingly, reconsideration and withdrawal of the rejections based on the Bruni reference, and issuance of a Notice of Allowance for claims 1-28, is respectfully requested.

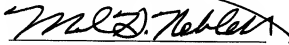
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

¹ The Zhang reference, cited for teaching use of cooling fins, does not cure Bruni’s deficiencies.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #011351.52877US).

June 12, 2008

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'M. H. Neblett', written over a horizontal line.

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